

**REMARKS:**

**I. Introduction**

In the Office Action mailed on November 14, 2006, the Examiner rejected claims 1 to 10 and 14 to 16 and objected to claims 11 to 13. The present amendment cancels claims 7 and 14, amends claims 1, 2, 4 to 6, 8 and 15, and adds new claims 17 to 20. Accordingly, claims 1 to 6, 8 to 13, and 15 to 20 are now pending in this application.

**II. Claim Rejections Based on 35 U.S.C. § 112**

The Examiner rejected claims 2 and 6 to 8 under 35. U.S.C. § 112, second paragraph, as being indefinite. The items cited by the examiner have been corrected. Claim 2 has been amended to remove the additional ranges. The deleted subject matter has been included in new claims 17 and 18. Claims 6 to 8 have been amended to remove the reference to "said other side." Reconsideration and withdrawal of the rejection is requested.

**III. Claim Rejections Based on 35 U.S.C. § 103(a)**

- (a) The Examiner rejected claims 1 to 9 under 35. U.S.C. § 102(b) as anticipated by Harper (US 3,541,742).
- (b) The Examiner rejected claims 1 to 9 and 14 to 16 under 35. U.S.C. § 102(b) as anticipated by Palmgren (US 4,382,628).
- (c) The Examiner rejected claims 1 to 9 and 14 to 16 under 35. U.S.C. § 102(b) as anticipated by Kryter (US 2,947,349).

Independent claim 1 has been amended to stipulate an overlapping armrest feature of the invention. Support for this amendment can be found in particular on page 7, lines 17-31 and from figures 1 and 4 of the drawings. In particular, Claim 1 has been amended to stipulate

that at least one of the armrests of the first seat overlaps with and projects beyond a respective one of said armrests of an adjacent seat in said secondary direction. This can most clearly be seen from figure 4 of the drawings. This feature is not disclosed by US 3,541,742 (Harper), US 4,382,628 (Palmgren), US 2,947,349 (Kryter), or any of the other cited prior art. Applicant respectfully submits therefore that Claim 1 is novel when compared to the cited prior art. This feature offers a significant advantage to vehicle operators in that it allows extra seats to be incorporated within a given space thereby increasing the capacity of the vehicle and the revenue of the operator.

It is noted that not only is this feature not disclosed by the cited prior art, but it is also not reasonably suggested by the prior art since neither Harper, Kryter or Palmgren could be readily modified to incorporate this feature. In particular, Kryter does not disclose armrests which could be overlapped; Palmgren discloses only a single armrest shared between adjacent seats; and the construction of the Harper seats would prevent the overlapping stipulated by Claim 1.

With regard to amended dependent Claim 4, it is noted that none of the cited prior art documents discloses a truncated armrest as defined in Claim 4.

With regard to amended dependent Claim 6 it is noted that none of the prior art documents disclose an arrangement whereby the seat pan of one seat fits partially beneath the armrest of an adjacent seat.

Dependent Claim 7 has been cancelled.

With regard to amended dependent Claim 8, it is noted that none of the prior art documents discloses a seating arrangement in which the amount of overlap is approximately equal to the combined width of the armrest of the first seat and an adjacent seat.

With regard to new dependent Claim 19, none of the cited prior art disclose a seating arrangement in which the respective armrests overlap with the seat pans in the manner claimed.

The applicant believes that amended Claim 1 is novel and non-obvious when compared to the cited prior art. It is respectfully submitted that Claims 2 to 6, 8 to 13, and 17 to 19, being dependent on Claim 1, are also allowable. Reconsideration and withdrawal of the rejection is requested.

#### **IV. Claim Rejections Based on 35 U.S.C. § 103(a)**

The Examiner rejected claim 10 under 35. U.S.C. § 103(a) as unpatentable over Palmgren in view of Maxwell, Jr. (US 5,083,838).

Dependent claim 10 is allowable as depending from allowable independent claim 1 as discussed above and independently allowable for novel and nonobvious matter contained therein. Reconsideration and withdrawal of the rejection is requested.

#### **V. Allowable Subject Matter**

The Examiner objected to claims 11 to 13 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New Claim 20 recites subject matter which the examiner indicated is allowable.

**VI. CONCLUSION**

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, Applicant's undersigned attorney requests that the Examiner initiate a telephone interview to expedite prosecution of the application. If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-2326.

Respectfully submitted,



Richard M. Mescher  
Reg. No. 38,242

PORTER, WRIGHT, MORRIS & ARTHUR LLP  
41 South High Street  
Columbus, Ohio 43215  
(614) 227-2026  
Fax: (614) 227-2100

February 14, 2007